

Management Staff:

Charles L. Rough, Jr., Town Manager
Dwight L. Moore, Town Attorney
Joanna Gutierrez, Town Clerk
Dennis Ivey, Assistant Town Manager
Lauren Gill, Assistant to the Town Manager/
Business & Housing Services Director
Albert McGreehan, Community Development Director
Dennis Schmidt, Public Works Director/Town Engineer
Denise Farrell, Human Resources/Risk Management
Mark Haunschild, Fire Chief
Gerald Carrigan, Police Chief

Town Council:

Alan White, Mayor
Frankie Rutledge, Vice Mayor
Steve "Woody" Culleton
Robin Huffman
Scott Lotter

TOWN COUNCIL AGENDA

REGULAR MEETING - 6:00 P.M. – May 13, 2008

In accordance with the Americans with Disabilities Act, if you need a special accommodation to participate, please contact the Town Clerk's Dept., at 872-6291 at least 48 hours in advance of the meeting. Hearing assistance devices for the hearing impaired are available from the Town Clerk.

If you wish to address the Town Council on any matter on the Agenda, it is requested that you complete a "Request to Address Council" card and give it to the Town Clerk prior to the beginning of the Council Meeting.

All writings or documents which are related to any item on an open session agenda and which are distributed to a majority of the Town Council within 72 hours of a Regular Meeting will be available for public inspection at the time the subject writing or document is distributed to a majority of the subject body. The information will be available at the Town Hall in the Town Clerk's Department at 5555 Skyway, Paradise, California, during regular business hours Monday through Thursday from 8:00 a.m. to 5:00 p.m. and on Friday from 8:00 a.m. to 10:00 a.m.

1. OPENING

- a. Call to Order
- b. Pledge of Allegiance to the Flag of the United States of America
- c. Invocation -
- d. Roll Call
- e. Proclamation(s): Poppy Distribution Week

2. ITEMS DEFERRED FROM PREVIOUS MEETINGS

None.

3. CONSENT CALENDAR

Roll call vote will be taken one time for all of the Consent Calendar agenda items.

- [3a.](#) Approve Minutes of the April 22, 2008, Regular Council Meeting.
- [3b.](#) Approve Check Register in the amount of \$1,125,701.04.
- [3c.](#) Adopt Resolution No 08-17, "A Resolution Setting Forth Written Guidelines For The Town of Paradise Filing Officer When Processing Campaign Statements Or Reports Filed After The Deadline Imposed By The Political Reform Act Of 1974 and Contained In Title 9 Of The California Government Code".
- [3d.](#) Adopt Resolution No. 08-18, "A Resolution of the Town of Paradise Establishing the Procedure For Issuing Special Event Permits", for temporary closure of a portion of a public street.
- [3e.](#) Adopt Resolution No. 08-19, "A Resolution Supporting Reform of the Bond Rating System To Eliminate Discrimination Against Municipal Bonds".
- [3f.](#) (1) Approve Agreement between Sierra Cascades LLC (Developer) and Town of Paradise to construct drainage improvements on Pentz/Bille Road; (2) Authorize the reimbursement of eligible construction costs from Fund 74, Pentz 1 Basin, a new capital improvement account to be included in the FY 08/09 budget; and, (3) Authorize the Town Manager to execute the Agreement. Approval of this agreement will allow the developer partial reimbursement (48%) of eligible construction costs for the Pentz/Bille Road storm drainage system as the need for this system was identified in 1980 Storm Drain Master Plan and drainage fees have been collected for this purpose.

Estimated Total cost (including design, permitting and construction)	\$135,000
Developer contribution (drainage impact fee's already paid)	\$35,910.76
Developer contribution (Bille Road Extension mitigation fee)	<u>\$34,222.00</u>
Total Developer contribution	\$70,132.76
Town of Paradise Contribution – Fund 74, Pentz 1 Basin.....	\$64,867.24

4. PUBLIC HEARING PROCEDURE

- a. Staff report (15 minutes total maximum)
- b. Open hearing to the public
 - 1. Project proponents or in favor of (15 minutes total maximum)
 - 2. Project opponents or against (15 minutes total maximum)
 - 3. Rebuttals - when requested (15 minutes total maximum or 3 minutes maximum per speaker)
- c. Close hearing to the public
- d. Council discussion
- e. Motion
- f. Vote

5. PUBLIC HEARINGS

5a. Conduct a public hearing regarding the Planning Commission recommendation for Town Council approval for a Reorganization (Annexation to the Town of Paradise and Paradise Irrigation District) and a General Plan Amendment/Rezone (RZ-05-2) to accommodate a proposed subdivision of a \pm 11.5 acre (gross) site located south of the eastern terminus of Merrill Road and composed of two parcels (APN 050-260-014 & 015) into seven lots for single family residential development and use and consider:

(1) Concurring with the project “CEQA determination” findings adopted by the Planning Commission on January 14, 2008 embodied within Planning Commission Resolution No 08-1; (2) Adopting Town of Paradise Resolution No. 08-____, “A Resolution of the Town Council of the Town of Paradise Amending the Land Use Map and the Land Use Element of the 1994 Paradise General Plan [Sonntag; GR 08-1]”; (3) Waiving the first reading of Town Ordinance No. _____, and reading by title only; (4) Introducing Town Ordinance No. _____, “An Ordinance Prezoning Portions of Certain Real Property to TR 1/3 (Town Residential 1/3-acre minimum) and AR-1 (Agricultural Residential, 1-acre minimum) Zones Pursuant to Paradise Municipal Code Sections 17.45.500 Et. Seq. [Sonntag: GR-08-1]; (5) Adopting Resolution No. 08-____, “A Resolution of the Town Council of the Town of Paradise Requesting the Local Agency Formation Commission to Initiate Proceedings for the Sonntag Territory Annexation to the Town of Paradise and the Paradise Irrigation District”; (6) Adopting Resolution No. 08-____, “A Resolution of the Town Council of the Town of Paradise Agreeing to the Tax Split for the Sonntag Territory Annexation to the Town of Paradise and the Paradise Irrigation District”; or, (7) Adopting an alternative directive to staff. **(ROLL CALL VOTE)**

5b. Conduct a public hearing regarding the Planning Commission recommendation for Town Council approval for a Paradise General Plan land use designation amendment for a portion of a \pm 7.11 acre property from Agricultural Residential (A-R) to Rural Residential (R-R), and a rezone affecting the same portion from Agricultural Residential-3 acre minimum (AR-3) to Rural Residential-1/2 acre minimum (RR-1/2) and tentative parcel map to divide the property located a 575 Rustic Lane, AP No 055-130-074, into two parcels of record and consider:

(1) Concurring with the project “CEQA determination” findings adopted by the Planning Commission on April 7, 2008, embodied within Planning Commission Resolution No. 08-4; (2) Adopting Town of Paradise Resolution No. 08-____, “A Resolution of the Town Council of the Town of Paradise Amending the Land Use Map of the 1994 Paradise General Plan [GR-07-2: Niblett]”; (3) Waiving the first reading of Town Ordinance No.____ and read by title only; (4) Introduce Town Ordinance No. _____, “An Ordinance Rezoning a Certain Real Property From AR-3 (Agricultural Residential, 3-Acre Minimum) to RR-1/2 (Rural Residential, 1/2-Acre Minimum) Zone Pursuant to Paradise Municipal Code Sections 17.45.500 Et. Seq. [GR-7-2: Niblett]; or, (5) Adopt an alternative directive to staff. **(ROLL CALL VOTE)**

6. PUBLIC COMMUNICATION

This is the time for members of the audience who have completed a "Request to Address Council" card and given it to the Clerk to present items not on the Agenda. Comments should be limited to a maximum of three minutes duration. The Town Council is prohibited by State Law from taking action on any item presented if it is not listed on the Agenda.

7. COUNCIL CONSIDERATION

- 7a.** Consider concurring with the study area alternatives "input positions" generated by the Town planning staff and the Paradise Planning Commission for submittal to Butte County officials with regard to the Butte County General Plan 2030. **(ROLL CALL VOTE)**
- 7b.** Consider (1) Waiving the first reading of Town of Paradise Ordinance No. _____, and read by title only; and, (2) Reintroducing Town Ordinance No. _____, "An Ordinance Repealing Chapter 8.12 of the Paradise Municipal Code and Adding a New Chapter 8.12 to the Paradise Municipal Code Relating to Felling, Removal, Destruction, Damaging and Replacement of Trees". **(ROLL CALL VOTE)**
- 7c.** Consider approving request for eight additional hours for the Business and Housing Division Administrative Analyst Position to provide administrative support for the multiplicity of grant funded and RDA funded business and housing programs. **(ROLL CALL VOTE)**

8. COUNCIL COMMUNICATION (Council Initiatives)

- 8a. Council oral report(s) regarding their representation on Commissions/Committees.

9. STAFF/COMMISSION/COMMITTEE COMMUNICATION

- 9a. Town Manager Oral Report
 - (1) Legislative Update
 - (2) Tentative Agenda items for future Council Meetings.
 - (3) Other issues.

10. CLOSED SESSION

None.

11. ADJOURNMENT

STATE OF CALIFORNIA)	SS.
COUNTY OF BUTTE)	
I declare under penalty of perjury that I am employed by the Town of Paradise in the Town Clerk's Department and that I posted this Agenda on the bulletin Board both inside and outside of Town Hall on the following date:	

TOWN/ASSISTANT TOWN CLERK SIGNATURE	